

REMARKS

Claims 28-31 are added herein. Claims 3 and 13-31 now remain pending in the application.

The Applicants respectfully request that the Examiner initial and return a copy of the IDSs filed on December 19, 2007, January 11, 2008 and April 22, 2008.

Claim 3 over Morse and Hamada

Claim 3 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,609,004 to Morse et al. ("Morse") in view of U.S. Patent No. 6,728,635 to Hamada et al. ("Hamada"). The Applicants respectfully traverse the rejection.

Claim 3 recites, *inter alia*, establishing a wireless device initiated information session with the wireless device, transmitting a short message relating to a location, and increasing a wireless airtime unit usage for a time of use of the information session.

Morse teaches at col. 8, lines 6-25:

The server processor 112 is coupled to the server monitor 118. The server monitor 118 performs various functions relating to the plurality of content information 120. The server monitor 118 is preferably programmed with a set of rules regarding the substance of content information. The server monitor 118, for example, may delete content information substance containing obscenity. The server monitor 118 may also disallow the creation of a new content containing obscenity. The server monitor 118 preferably also tracks traffic from a particular requester or group for billing purposes. Various billing methods are supported for the various types of content information. A flat rate per month, for example, may be charged to allow the device user 68 to pick a certain number of content information to subscribe to continuously or as desired. Alternatively, hourly charges or per character charges may be applied to requested content information. One skilled in the art will recognize that the mobility aware content server 50 in accordance with the present invention supports any of the billing methods mentioned above or an equivalent.

Thus, Morse discloses various charge methods for "a certain number of content information" and "requested content information" More fails to monitor for a time of use of an information session, much less disclose, teach

or suggest establishing a wireless device initiated information session with the wireless device, transmitting a short message relating to a location, and increasing a wireless airtime unit usage for a **time of use** of the **information session**, as recited by claim 3.

The Examiner acknowledged that Morse fails to teach altering a length of a message based on speed of a subscriber. (see Office Action, page 2) The Examiner relied on Hamada to allegedly disclose such a feature. This feature is being moved to new dependent claims 28-30. However, Hamada still fails to disclose, teach or suggest the newly claimed features, as discussed below.

Hamada at col. 12, lines 43-53 teaches:

In subroutine step S413, the guidance section 6 selects additional information corresponding to the selected landmark. Here, such a process of selecting additional information for **advertising** is described in detail.

FIG. 7 is a flowchart showing the detailed procedure in subroutine step S413 of FIG. 5. In S601 of FIG. 7, the guidance section 6 selects additional information satisfying the display condition based on the location and speed of the vehicle. As an example, considered is a case where there prepared messages varying in length depending on the vehicle speed.

Thus, Hamada teaches pushing an advertising message to a vehicle. Hamada fails to disclose any type of monitoring for a **time of use** of an **information session** or establishment of a **wireless device** initiated **information session**, much less disclose, teach or suggest establishing a wireless device initiated information session with the wireless device, transmitting a short message relating to a location, and increasing a wireless airtime unit usage for a **time of use** of the **information session**, as recited by claim 3.

Morse and Hamada, either alone or in combination, fail to disclose, teach or suggest establishing a wireless device initiated information session with the wireless device, transmitting a short message relating to a location, and increasing a wireless airtime unit usage for a **time of use** of the **information session**, as recited by claim 3.

Accordingly, for at least all the above reasons, claim 3 is patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claim 13-27 variously over Morse, Durocher, Hamada, Anderson and WNPA

Claim 13, 14, 19-21, 26 and 27 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Morse, U.S. Patent No. 6,381,535 to Durocher et al. ("Durocher"), and Hamada; claims 16, 17, 23 and 24 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Morse, Durocher, Hamada, and U.S. Patent Application Pub. No. 2003/0017832 to Anderson et al. ("Anderson"); and claims 15, 18, 22, 25 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Morse, Durocher, Hamada, and alleged Well Known Prior Art ("WKPA"). The Applicants respectfully traverse the rejection.

Claims 13-27 recite, *inter alia*, establishing a wireless device initiated information session with the wireless device, transmitting a short message relating to a location, and increasing a wireless airtime unit usage for a time of use of the information session. As discussed above, Morse and Hamada, either alone or in combination, fail to disclose, teach or suggest such features.

Durocher was relied on to allegedly disclose an IP message. (see Office Action, page 3) A thorough reading of Durocher reveals that he too fails to disclose, teach or suggest establishing a wireless device initiated information session with the wireless device, transmitting a short message relating to a location, and increasing a wireless airtime unit usage for a time of use of the information session. As discussed above, Morse and Hamada, either alone or in combination, as recited by claims 13-27.

Anderson and WKPA were relied on to allegedly disclose features from dependent claims. A thorough reading of Anderson and WKPA reveals that they too fail to disclose, teach or suggest establishing a wireless device initiated information session with the wireless device, transmitting a short message

relating to a location, and increasing a wireless airtime unit usage for a time of use of the information session. As discussed above, Morse and Hamada, either alone or in combination, as recited by claims 13-27.

Morse, Durocher, Hamada, Anderson, and WKPA, either alone or in any combination thereof, fail to disclose, teach or suggest establishing a wireless device initiated information session with the wireless device, transmitting a short message relating to a location, and increasing a wireless airtime unit usage for a time of use of the information session, as recited by claims 13-27.

Accordingly, for at least all the above reasons, claims 13-27 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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